

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

THOMAS H. BATES,

Plaintiff,

v.

STATE FARM FIRE AND CASUALTY
COMPANY,

Defendant.

Case No. CIV-21-00705-JD

PLAINTIFF'S LIST OF EXPERT WITNESSES

Plaintiff, Thomas H. Bates, in accordance with the Court's Scheduling Order [Doc. No. 14], hereby submits his list of Expert Witnesses In Chief to be utilized at trial.

No.	Name and Address
1.	Jonathan Marks Aegis Roofing and Construction, LLC 7785 Gold Circle Dr Edmond, OK 73025

Mr. Marks is being designated as an expert witness under Fed. R. Civ. P. 26(a)(2)(C) and was not retained or specially employed to provide expert testimony. Mr. Marks was a licensed insurance adjuster and team manager for State Farm for over 18 years. Mr. Marks is also co-owner of Aegis Roofing and Construction, LLC since 2007. Mr. Marks will render opinions based on his

training, skills, experience, and personal perception considering his inspections, investigation and evaluation of the damages to the Plaintiff's property, State Farm's handling and evaluation of the Plaintiff's claim, and State Farm's pattern and practice with regard to roof claims.

Specifically, Mr. Marks inspected the Plaintiff's roof and determined that the damage to Plaintiff's roof was hail damage, noting bruising to the shingles, fracturing of the mat, and that the decking also was not code-compliant. Mr. Marks also attended the inspection with State Farm Fire and Casualty's adjuster, Tresa Dunnican-Jacome, and pointed out several places where the hail had fractured the mat by lifting the shingle and looking at the back side of the mat. Ms. Dunnican-Jacome agreed that it looked like hail but that her supervisor would not agree and would not pay for it. Ms. Dunnican-Jacome informed Mr. Marks that Ms. Jacqueline Draper, team manager for Defendant, had reviewed photographs of the Bates's roof and determined the claim would be denied for wear and tear. Mr. Marks will opine that State Farm did not have a reasonable basis to deny Plaintiff's claim for hail damages and that the denial of a second inspection was unreasonable. The photographs from Mr. Marks's inspections, as well as communications regarding the claim and estimate of the damages, are already in possession of Defendant. Mr. Marks's testimony concerning State Farm's pattern and practice with regard to roof claims is detailed in his deposition testimony in

Michael Lewis and Stephanie Lewis v. State Farm Fire and Casualty Company, CIV-20-648-HE, which deposition testimony is already in the possession of Defendant.

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CERTIFICATE OF SERVICE

☒ I hereby certify that on March 8, 2022, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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